

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOSEPH DI GIOVANNA,

Plaintiff,

-against-

**BETH ISRAEL MEDICAL CENTER,
and CONTINUUM HEALTH
PARTNERS, INC.,**

Defendants.

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NOTICE OF MOTION

Civil Action No.: 08 CV 02750

PLEASE TAKE NOTICE, that upon the annexed Declaration of Louis Ginsberg, Esq., and the exhibits thereto, and all prior pleadings and proceedings in this action, Plaintiff Joseph Di Giovanna will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and time to be designated by the Court, for an order pursuant to 28 U.S.C. 1446(b), to remand this matter back to state court on the ground that Defendants Beth Israel Medical Center, and Continuum Health Partners, Inc., failed to properly remove to federal court.

Dated: Roslyn New York
April 2, 2008

Respectfully submitted,

LAW FIRM OF
LOUIS GINSBERG, P.C.

By: S/

Louis Ginsberg (LG 1048)
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NOTICE OF MOTION

**The Law Firm of Louis Ginsberg P.C.
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